THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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W.P.No.22053 OF 1997

DATED: 09.02.2007

Between:

M. Indira Rani and others …Petitioners

AND

The Andhra Pradesh State Electricity Board,
Represented by its Member Secretary,
Vidyuth Soudha, Hyderabad and others …Respondents

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.22053 of 1997

ORDER:

Seeking a declaration from this Court that the action of the respondents in not considering the candidature of the petitioners for appointment in the existing vacancies of Typists/L.D.Cs as illegal, the present writ petition is filed.

The first and second petitioners along with others filed W.P.No.15674 of 1990 and the same was disposed of by this Court, by order dated 24.12.1990, following a Division Bench judgment of this Court in Writ Appeal No.1315 of 1990 dated 26.11.1990 directing that the appellants' claim for absorption should be considered along with others sponsored by the Employment Exchange but, however, the appellants would not be entitled to relaxation in age or any other qualification. Petitioner Nos.1 and 2 again filed W.P.No.17143 of 1991 and this Court, by order dated 27.01.1992, held that the case of the petitioners should be considered not only to the post of Typist but also to the post of L.D.C. In the representation submitted to the Superintending Engineer, Operation, A.P.S.E.B., Warangal, on 04.06.1997, the first petitioner herein specifically referred to the fact that there was a vacancy in the post of Typist in the Administration Section of the Division Office, Operation Circle, A.P.S.E.B., Mahaboobabad, that typing work of the Division Office was entrusted to Indira Typewriting Institute by the Division Office, Mahaboobabad, that on behalf of the Institute, she had attended the work at the Division Office during the period 17.12.1993 to 05.05.1994, that since the vacant post of Typist at the Division Office was filled-up on 06.05.1994, the work was being carried out by an employee and the system of entrusting the work to the institute was dispensed with. The

petitioners would seek orders of appointment to the post of Typist/L.D.C.

Nothing is stated in the affidavit as to the basis on which the petitioner is claiming that her candidature should be considered for appointment as Typist/LDC in any existing vacancy. Whether an existing post should be filled up or kept vacant are all matters to be decided in its wisdom, by the electricity board. No Mandamus can, ordinarily, be issued to fill up a vacancy merely because it exists. The mere fact that the petitioner attended typing work at the Divisional Office, A.P.S.E.B., on behalf of the Indira Typewriting Institute, does not confer any right on her to claim that her case should be considered for appointment to the post of Typist/LDC.

The writ petition is wholly misconceived and is, accordingly, dismissed. However, in the circumstances of the case, without costs.

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RAMESH RANGANATHAN,J

Date:09.02.2007
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